

Larry E. Craig, Chairman
Jade West, Staff Director

Legislative Notice

Editor, Judy Gorman Prinkey

No. 28 (Revised)

July 22, 1999

S. 1292 – Department of Interior and Related Agencies Appropriations Bill, 2000

Calendar No. 183

Reported by the Committee on Appropriations, by a vote of 28-0, on June 23, 1999. S. Rept. 106-99.

NOTEWORTHY

- S. 1292 contains \$14.06 billion for Interior and Related Agencies which is \$239.9 million less than the 1999 appropriation and \$1.21 billion less than the Administration's request.
- Oil and gas leasing and other mineral leasing activities, the timber and range programs, and oil production from the naval petroleum reserves are estimated to generate income to the United States of \$6.49 billion in FY 2000.
- The Committee provides \$7.09 billion for Department of the Interior programs, \$679.9 million less than the President's request and \$6.97 billion for Related Agencies, \$528.3 million less than the President's request.
- S. 1292 bans the use of funds to complete some forest management plans until the Department of Agriculture issues revised planning regulations.
- The Committee bill continues a moratorium on the issuance of new oil and gas royalty regulations by the Minerals Management Service.
- S. 1292 overturns a Department of the Interior Solicitor's opinion which would limit to five acres the mill site for each mining claim.

HIGHLIGHTS

S. 1292 provides funding for all of the agencies and bureaus of the Department of the Interior (except the Bureau of Reclamation), as well as the following other agencies: Forest Service (an agency of the USDA); a number of programs under the Department of Energy, including the Strategic Petroleum Reserve account; Indian Health Service (funded through the Department of Health and Human Services); and a variety of cultural programs and agencies, including the Smithsonian Institution, National Gallery of Art, and the National Foundation on the Arts and Humanities.

The Committee refused to fully fund the Administration's request for the Land and Water Conservation Fund (LWCF) which has been characterized as the President's "Lands Legacy Initiative." The reductions are based in part on the fiscal constraints imposed by the Balanced Budget Act of 1997, which was negotiated and agreed to by the President. The Committee notes that "These constraints were utterly disregarded in the President's gimmick-laden budget request." The Committee further chides the Administration for attempting to redefine the purposes for which LWCF funds can be spent. "The Administration's budget proposes to draw on the Land and Water Conservation Fund for at least \$322 million in programs that are either brand new, or authorized under statutes other than the LWCF Act and have never been supported by the Land and Water Conservation Fund."

The Committee continues to admonish agencies funded by the Interior Appropriations bill not to ask for or use funds to implement the Kyoto Protocol on Climate Change and to provide any requests for additional funds in these areas early in the year. This same request was made last year but several agencies failed to provide reports until very late in the budget and appropriations process.

BILL PROVISIONS

Title I: Department of the Interior

The Committee provides \$7.09 billion for the Interior Department in FY 2000, \$679.9 million below the Administration's request and \$42.4 million lower than the amount appropriated for FY 1999.

Bureau of Land Management: The Committee recommends an appropriation of \$1.22 billion for BLM, a reduction of \$51.5 million from the Administration's request and \$33.3 million more than Congress appropriated for FY 1999. The Committee includes \$157.4 million for land

resource management, \$33.5 million for wildlife and fisheries management, \$51.4 million for recreation management and \$76.3 million for energy and minerals management. The Committee also provides \$287.3 million for Wildland Fire Management, \$130 million for Payments in Lieu of Taxes, and \$17.4 million for land acquisition.

Fish and Wildlife Service: The Committee provides \$828.9 million for the Service, \$121.1 million less than the Administration's request and \$10.9 million less than the appropriation for FY 1999. The Committee provides \$683.5 million for resource management which is \$40.5 million less than the Administration's request and \$22.4 million more than the amount appropriated for FY 1999. Included in this amount is \$309.85 million for Refuges and Wildlife and \$82.3 million for Fisheries. In addition, S. 1292 provides \$55.2 million for land acquisition.

National Park Service: The Committee provides \$1.72 billion for the National Park Service for FY 2000, \$335.8 million less than the Administration's request and \$41.1 million less than the appropriation for FY 1999. The Committee provides \$1.36 billion for operation of the National Park System, \$34.5 million less than the Administration's request and \$67.3 million more than the FY 1999 appropriation. This includes \$247.9 million for resource stewardship, \$317.8 million for visitor services, \$432.1 million for maintenance, and \$248.1 million for park support.

U.S. Geological Survey: The Committee recommends an appropriation of \$813.2 million, \$25.2 million less than the Administration's request but \$15.4 million more than FY 1999 for surveys, investigations and research.

Minerals Management Service: The Committee recommends \$116.8 million for Royalty and Offshore Minerals Management, \$600,000 more than the Administration's request, but \$7.2 million below the amount enacted for FY 1999. It is estimated that the Minerals Management Service will collect and distribute \$4 billion from over 107,000 Federal and Indian leases.

Office of Surface Mining: The Committee allows \$281.8 million, \$24 million less than the Administration's request and \$3.1 million more than the FY 1999 appropriation. This includes \$96.2 million for regulation and technology and \$185.7 million for the Abandoned Mine Reclamation Fund.

Native American Programs

Bureau of Indian Affairs: The Committee provides \$1.81 billion which is \$91 million below the Administration's request, but \$63.5 million more than the amount appropriated for FY 1999. The Committee recommends \$490.7 million for school operations, \$14.6 million more than the FY 1999 appropriation. The Committee provides \$82.4 million for school construction, \$22 million more than the FY 1999 appropriation

Indian Health Service (in Title II): S. 1292 provides \$2.32 billion for the Indian Health Service, which is under the Department of Health and Human Service. The amount is \$87.6 million less than the budget request and \$82.5 million more than the FY 1999 appropriation. The

Committee's recommendation includes \$1.61 billion for clinical services and \$92.3 million for preventive health.

Other Native American Programs: The bill provides \$8 million for the Office of Navajo and Hopi Indian Relocation and \$4.3 million for the Institute of American Indian and Alaska Native Culture and Arts Development.

Title II: Related Agencies

For Title II, related agencies, the Committee provides \$6.97 billion, \$197.5 million less than the FY 1999 appropriation and \$528.3 million less than the budget request.

Forest Service (Department of Agriculture): For the USFS, the Committee provides \$2.67 billion, \$84.1 million less than the FY 1999 appropriation, and \$240.4 million less than the budget request. For the National Forest System, the Committee recommends \$1.24 billion, \$118.1 million less than the budget estimate and \$58.4 million less than the FY 1999 appropriation. For specific programs the Committee recommendation includes:

- \$37.2 million for Land Acquisition, \$80.8 million less than the FY 1999 appropriation and \$80.8 million less than the budget estimate.
- For Recreation, the Committee recommends \$191.1 million, \$3.5 million more than the FY 1999 appropriation and \$3.5 million less than the budget request.
- For Road Maintenance, the Committee provides \$111.2 million, \$11.3 million more than the FY 1999 amount and \$11.3 million less than the administration request.
- \$187.4 million for Forest and Rangeland Research, \$10 million less than FY 1999 and \$47.2 million less than the budget request.
- \$190.8 million for State and Private Forestry, \$61.6 million less than the budget request and \$20.1 million more than the FY 1999 appropriation.
- \$651 million for Wildland Fire Management, \$11.2 million less than the FY 1999 appropriation and \$250,000 more than the budget request.
- \$362.1 million for Reconstruction and Maintenance, \$59.1 million more than the FY 1999 appropriation and \$67.1 million more than the budget request.
- \$292.9 million for Forestland Management, \$7.7 million more than FY 1999 and \$22.7 million more than the budget request.

- \$100.4 million for Wildlife, Fish and Rare Plant Habitat, the same as the FY 1999 appropriation and \$23.4 million less than the budget request.

Within the funds provided for timber sales management, the Committee has provided sufficient funds for the Forest Service to prepare, offer, and sell at least the same volume of timber as in fiscal year 1999. "Accordingly, the Committee directs the agency to offer no less than this level in fiscal year 2000. The funding should be allocated in a manner which will optimize forest plan goals, objectives and targets. The Committee remains extremely concerned about the Administration's continuing efforts to reduce the amount of timber volume being sold from the national forests. The timber program has declined by 75 percent over the last decade. In spite of this, this Administration proposed in its request to reduce funding for the timber sales by more than 13 percent in fiscal year 2000. The Committee will continue to reject Administration requests designed to promote the downward spiral of the timber sales program."

Department of Energy

For the Department of Energy, the Committee provides \$1.1 billion, \$217.6 million less than FY 1999 and \$70.9 million less than the budget request.

Fossil Energy R&D: The Committee provides \$367 million for fossil energy research and development \$27 million more than the budget request and \$17.1 million less than the FY 1999 appropriation. The Committee recommendation includes:

For Coal:

- \$13.6 million for advanced clean fuels research.
- \$85.8 million for advanced clean/efficient power systems.
- for a total for coal of \$122.5.

For Gas:

- \$75.6 million for natural gas research.
- \$37.7 million for fuel cell research.
- for a total for natural gas of \$113.2 million.

For Oil Technology:

- \$56.2 million for oil technology research.

Energy Conservation: S. 1292 provides \$657.8 million for energy conservation, a decrease of \$33.8 million from the FY 1999 appropriation and \$154.7 million lower than the budget request. The Committee has again made a significant reduction in the budget request because it continues to be dissatisfied with the quality of the budget justification for energy conservation programs that the Administration is using to further its "climate change initiative." "The Committee takes cognizance of a joint hearing on agency accountability, conducted on May 20, 1999, by subcommittees of the Senate Committee on Energy and Natural Resources and the House Committee on Government Reform. In fact, three agencies did not submit reports until April 9

or later, and the Department of Energy submitted its report one day before the 5/20/99 hearing. According to the General Accounting Office, both the timing and the content of these submissions made it more difficult for Congress to assess the Administration proposals. The Committee reiterates its directive that all affected agencies submit these items to the Committee as part of all future budget submissions." (Page 8 of the Committee report.)

Strategic Petroleum Reserve: The Committee recommends \$159 million for operation of the strategic petroleum reserve, the same as the budget request and \$1.1 million below the FY 1999 appropriation. The Committee does not recommend an appropriation for the acquisition of crude oil for the reserve.

Cultural Programs

National Endowment for the Arts: The Committee recommends an appropriation of \$99 million for grants and administration of the National Endowment for the Arts, \$1 million above the FY 1999 appropriation and \$51 million below the budget request.

National Endowment for the Humanities: The Committee recommends an appropriation of \$111.7 million, \$1 million above the FY 1999 appropriation and \$38.3 million below the Administration's request.

Smithsonian Institution: The Committee recommends \$423 million for the Smithsonian, \$24.4 million below the budget request, but \$10.7 million more than FY 1999.

Title III: General Provisions

The Committee has included forty-two provisions that are described beginning on page 108 of the Committee Report and page 98 of the bill text. In addition to the usual provisions such as Buy American, the Mining Patent Moratorium and the oil royalty rule moratorium, the bill contains specific direction regarding management and spending.

ADMINISTRATION POSITION

No Administration position had been published at press time, but one was anticipated. A Statement of Administration Policy (SAP) has been prepared for H.R. 2466, the House Interior and Related Agencies Appropriations. In that SAP the Administration has objected to a number of provisions that are similar to those contained in S. 1292. The Administration did not, however, threaten to veto the House version.

COST

The Committee, in consultation with CBO, issued an estimate that the bill would result in outlays of \$9.15 billion in FY 2000, \$3.78 billion in FY 2001, \$797 million in FY 2002, \$301 million in FY 2003, and \$98 million in FY 2004. The bill is at the Committee's allocation of \$13.923 billion for discretionary budget authority and \$1 million below the Committee's \$14.251 billion allocation for outlays.

POSSIBLE AMENDMENTS

Boxer: To strike or amend Sec. 342 regarding Minerals Management Service oil royalty valuation rules.

Murray: To strike or amend Sec. 336 regarding the Department of the Interior Solicitor's opinion concerning mining claim mill sites.

Bryan: To cut funding for the timber program administered by the Forest Service and restore funding for Forest Service environmental programs and for debt reduction.

Other amendments to the General Provisions of Title III are possible, as are amendments to Titles I and II.

Staff contact: John Peschke , 224-2946